

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0115 – William Cannon

P.C. DATE: July 8, 2008

July 22, 2008

August 12, 2008

ADDRESS: 4808 West William Cannon Drive

OWNER: Marcus Whitfield & Eskew Place, Ltd. **AGENT:** McClean & Howard, L.L.P.
(Gail and Marcus Whitfield) (Jeffrey Howard)

ZONING FROM: SF-2

TO: LR-MU

TOTAL AREA: 2.15 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to maintain single family residence standard lot (SF-2) district zoning.

PLANNING COMMISSION RECOMMENDATION:

July 8, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JULY 22, 2008.*

[S. KIRK; M. DEALEY – 2ND] (8-0) D. SULLIVAN – ABSENT

July 22, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO AUGUST 12, 2008.*

[M. DEALEY; S. KIRK – 2ND] (7-0) T. ATKINS; C. EWEN – NOT ARRIVED YET

August 12, 2008:

ISSUES:

The Oak Hill Combined Neighborhood Plan and associated rezoning cases were approved with conditions at the July 8th Planning Commission meeting and are scheduled for the August 7th City Council meeting. Neither the Neighborhood Planning Contact Team nor the Staff recommended a base district zoning change for the subject property and the recommended Future Land Use Map category was Single Family. However, the property is proposed to receive the –NP, neighborhood plan combining district suffix through the neighborhood plan rezonings.

The Applicant has met with the Western Oaks Property Owners Association and the Westcreek Ranch Homeowners Association to discuss the zoning change, and would like to discuss the Staff recommendation.

DEPARTMENT COMMENTS:

The subject unplatted tract contains one single family residence, has driveway access to West William Cannon Drive and is zoned single family residence standard lot (SF-2) district. The tract is situated between a condominium development to the east (SF-6) and single family residences on large platted tracts to the west (SF-2). Williamson Creek flows through the property on its north side and forms the southern boundary of the Westcreek subdivision. Western Oaks subdivision is to the south (SF-2). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and A-2 (100-year floodplain).

The Applicant proposes to rezone the tract to the neighborhood commercial – mixed use (LR-MU) district and convert the existing residence to either an office use or a personal improvement services use, and potentially develop a retail sales use along the William Cannon frontage.

Although the property is situated on a major arterial roadway, commercial development and zoning along this segment of William Cannon is generally reserved for sites located at intersections. A rezoning to a non-residential district would be inconsistent with the neighborhood plan rezonings and would set precedent for office or commercial use in similar locations. In addition, the Critical Water Quality Zone and the Water Quality Transition Zone (CWQZ and WQTZ, measured from the centerline of Williamson Creek) occupies a significant portion of the site, thereby constraining site development. As the property is unplatted, impervious cover is limited to 15 percent of the net site area (the area outside of the CWQZ and the WQTZ). Due to the environmental constraints and the residential character of this portion of William Cannon Drive, the Staff is recommending that the SF-2 zoning be maintained.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	One single family residence
<i>North</i>	SF-2	Single family residences within the Westcreek subdivision
<i>South</i>	SF-2	Single family residences within the Western Oaks subdivision
<i>East</i>	SF-2; SF-6	Williamson Creek; Condominiums of Westcreek Ranch
<i>West</i>	SF-2	Single family residences on large lots within the Bridle Path Estates subdivision

NEIGHBORHOOD PLANNING AREA: East Oak Hill **TIA:** Is not required

WATERSHED: Williamson Creek –
Recharge Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

89 – Westcreek Neighborhood Association
 298 – Oak Hill Association of Neighborhoods
 384 – Save Barton Creek Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 705 – OHAN 78735 779 – Oak Hill Combined NPA Staff Liaison
 786 – Home Builders Association of Greater Austin
 943 – Save Our Springs Alliance 967 – Circle C Neighborhood Association
 1113 – Austin Parks Foundation 1037 – Homeless Neighborhood Association

SCHOOLS:

Patton Elementary School

Small Middle School

Austin High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-98-0001.03 (Wine Styles at Arbor Trails)	PUD to PUD, to change the conditions of zoning	To Grant PUD and add “cocktail lounge” as an additional permitted use for a 0.043 acre area	Approved PUD as recommended by the ZAP (5-3-07).
C814-98-0001.01 (Southwest Marketplace)	PUD to PUD, to change the conditions of zoning	To Grant PUD with the Restrictive Covenant for the Traffic Phasing Agreement	Approved PUD with conditions as recommended by the Environmental Board and ZAP (9-2-04).
C14-03-0178 – Western Oaks Physical Fitness Studio	LR to GR	To Grant GR-CO with CO for list of prohibited uses	Approved GR-CO as Commission recommended (2-26- 04).
C14-89-0007 – Westcreek Section 10, Phase G, Resub of Lot 1	LO to GR-CO	To Grant GR-CO	Approved GR-CO with CO limiting F.A.R.; impervious cover to 70%; LR uses and freestanding or low-profile signs allowed in the LR district (11-9-89).
C14-80-114RC – Westcreek Landing	Interim-AA, A, AA Residence to AA, A-2, BB, O, LR,	To Grant, with Site Plan	Approved with Restrictive Covenant with limitations on where residential may not occur, site plan requirement, access to

			William Cannon Drive, landscaping, fencing, building setback (11-20-80).
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RELATED CASES:

The property was annexed into the City limits on July 3, 1975 (C7A-75-006). There are no pending subdivision or site plan applications on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
West William Cannon Drive	120 feet	95 feet	Arterial	Yes, Priority 1	Yes, both sides	No

COUNCIL DATE: August 7, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



WEST WILLIAM CANNON DRIVE

EXHIBIT A

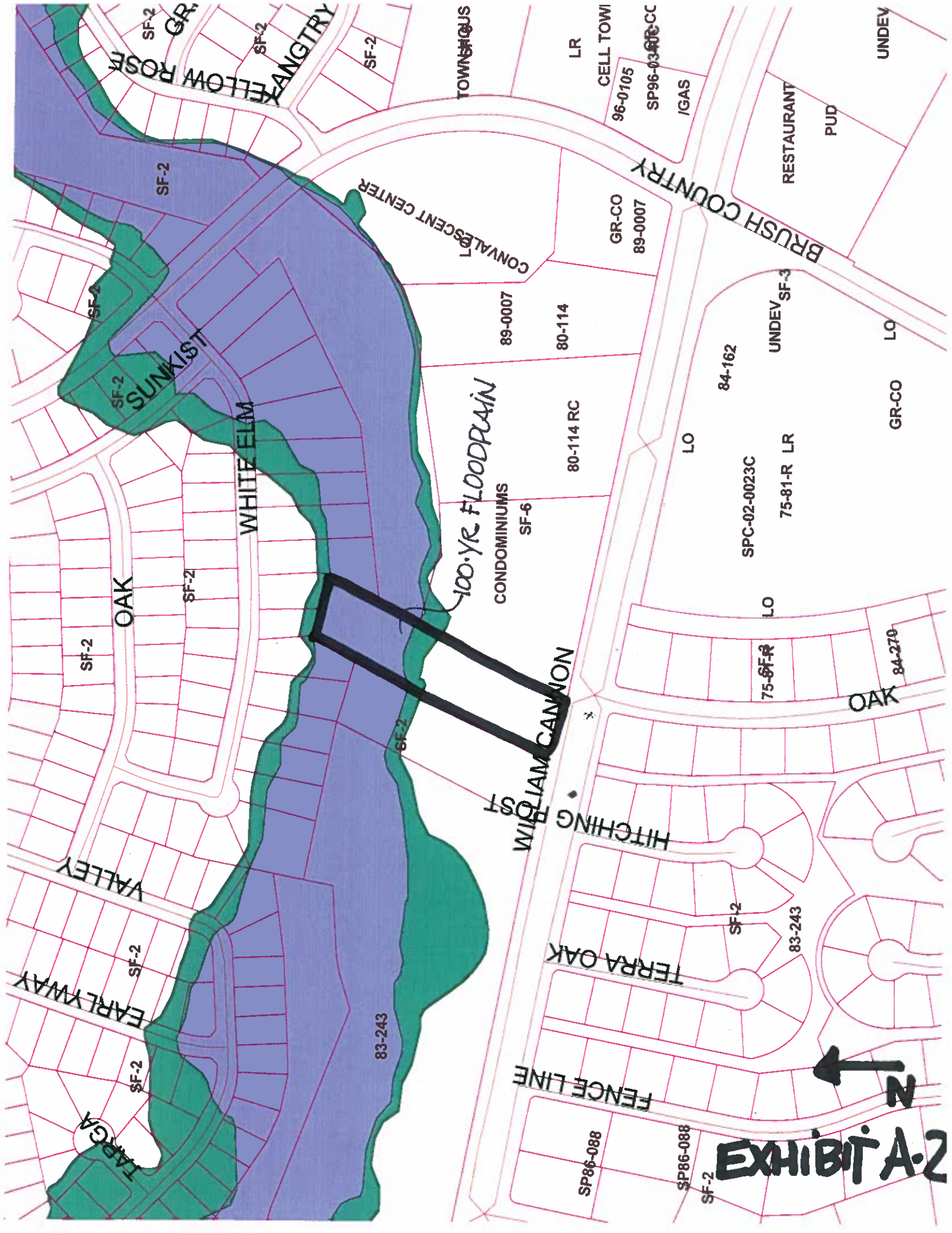


EXHIBIT A-2

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to maintain single family residence standard lot (SF-2) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Although the property is situated on a major arterial roadway, commercial development and zoning along this segment of William Cannon is generally reserved for sites located at intersections. A rezoning to a non-residential district would be inconsistent with the neighborhood plan rezonings and would set precedent for office or commercial use in similar locations. In addition, the Critical Water Quality Zone and the Water Quality Transition Zone (CWQZ and WQTZ, measured from the centerline of Williamson Creek) occupies a significant portion of the site, thereby constraining site development. As the property is unplatted, impervious cover is limited to 15 percent of the net site area (the area outside of the CWQZ and the WQTZ). Due to the environmental constraints and the residential character of this portion of William Cannon Drive, the Staff is recommending that the SF-2 zoning be maintained.

EXISTING CONDITIONS**Site Characteristics**

The subject tract is developed one single family residence and slopes to the north, towards Williamson Creek which flows through the property on its north side.

Impervious Cover

The maximum impervious cover allowed by the LR-MU zoning district would be 15%, which is based on the more restrictive watershed regulations described below.

Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing Zone. This tract lies in the recharge zone.

According to flood plain maps, there is a flood plain within the project location.

Based upon the close proximity of a flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2-year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

Transportation

No additional right-of-way is needed for William Cannon at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater

utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

This site is in the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the West, North, and Northeast property lines, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- e. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- f. No parking or driveways are allowed within 25 feet of the property line.
- g. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0115

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor
☒ I object

James L. Harkin

Your Name (please print) Elizabeth Sue Harkin

4900 White Elm Drive

78749

Your address(es) affected by this application

James L. Harkin

6-25-08

Elizabeth Sue Harkin

Date

6-25-08

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0115

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor
☒ I object

Diana HajAli Hamad
Your Name (please print)

4807 White Elm Drive, Austin TX 78749-1619
Your address(es) affected by this application

Diana HajAli 6/25/08
Signature Date

Comments: I object to the rezoning application. As a long time resident of westcrest neighborhood, I feel that we have adequate shopping and commercial services represented. Approval of commercial will drastically change the neighborhood feel and look and will create noise and environmental pollution. I live directly across the creek from the proposed property, I worry about the direct noise level and depreciation of my home value. Thank you for your consideration.
If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Rhoades, Wendy

From: RRF [~~fortune@austin.tn.com~~]
Sent: Monday, June 30, 2008 1:35 PM
To: Rhoades, Wendy
Subject: Zoning Request

Richard R. Fortune
6809 Hitching Post Cir.
Austin, Tx 78749
Western Oaks subdivision.

Subject: Rezoning request at 4808 William Cannon Dr.

Case Number: C14-2008-0115

Dear Ms. Rhoades,

This E-mail is to let you know that I am opposed to any change of zoning at the above address.

I have several issues, to wit:

1. Increased traffic. It is already a disaster, I have a hard enough time simply making a right turn out of my street now. Any commercial enterprise will simply exacerbate that situation.
2. Impervious cover through construction. You should be well-aware that Western Oaks is a 25 plus years old subdivision that lacks adequate drainage. Any additional construction will once again strain an environment that simply lacks the capabilities to deal with heavy rain even over a short duration.
3. This area has enough commercialization. Any additional such ventures/onslaughts would severely erode/degrade/deteriorate my and the neighborhood's quality of life.
4. Domino effect. Where does it end?
5. Environmental impact. Destruction by small slices over time still adds up to major ruination. Must a neighborhood of approximately 400 homes be relentlessly subjected to the greed of a few?

I would like to thank you for your time and consideration. Please reject any change in zoning regarding

6/30/2008

this property. I am fighting for my and my fellow residents quality of life.

Regards,

Richard Fortune

6/30/2008

Rhoades, Wendy

From: Janelle Kuhn [mailto:~~jkuhn2@austin.tx.com~~]
Sent: Wednesday, July 02, 2008 9:50 AM
To: ~~rkolb@austin.tx.com~~; Rhoades, Wendy
Subject: Case # C14-2008-0115

Dear Wendy,

I live at 5104 Jacobs Creek Ct. in Western Oaks. I'm writing regarding Case# C14-2008-0115, which is a rezoning request for 4808 William Cannon Drive. This zoning request violates the proposed Oak Hill Future Land Use Map and I am strongly opposed to the property being rezoned. There is enough commercial property on William Cannon already and I feel this is an unnecessary request that will have a negative impact on the neighborhood.

Thank you for taking the residents opinions into consideration on this matter.

Warm regards,

Janelle

Janelle Kuhn
5104 Jacobs Creek Ct.
Austin, TX 78749

512-291-7934 Office
512-796-8529 Cell

7/2/2008

Rhoades, Wendy

From: Clifford & Jan Culver [cculver@westernoaks.com]

Sent: Wednesday, July 02, 2008 5:10 PM

To: Rhoades, Wendy

Subject: Rezoning of 4808 William Cannon

Wendy:

I am the current chair for the Western Oaks Architectural Committee and have come to understand there has been an application to rezone the above referenced property from SF-2 single family to LR Neighborhood Commercial. I am opposed to this application and am aware this would be in violation of the proposed Oak Hill Future Land Use Map.

Are there any other ways or procedures to express my opposition.

Sincerely,
Clifford Culver

7/2/2008

Rhoades, Wendy

From: Timothy Massey [mailto:tim760@msn.com]
Sent: Wednesday, July 02, 2008 9:54 AM
To: Rhoades, Wendy
Cc: [mailto:kolb@austin.tx.gov]
Subject: [Released] Rezoning Case # C14-2008-0115

Dear Wendy,

As a resident of Western Oaks I am writing to indicate that I **do not** support the rezoning of 4808 Wm Cannon from SF-2 to LR.

This change violates the proposed Oak Hill Future Land Use Map and would seriously undermine the effort it took to create a consensus on the Land Use Map and go against the desires of the majority of neighborhood residents and businesses. Additionally, it makes little sense to rezone to commercial as there are numerous commercial spaces available (meaning supply currently exceeds demand) within three different commercial shopping centers as close as 500 meters away on both the north and south side of Wm Cannon.

I hope you will relay my opposition to this change to other city officials.

Please let me know if you have any questions.

Thanks,

Tim Massey
5108 Jacobs Creek Court
Austin, TX 78749

512.358.8899

[REDACTED]

7/3/2008

Rhoades, Wendy

From: Deborah Bryant [~~deborah.bryant@niss.com~~]
Sent: Monday, July 07, 2008 8:41 PM
To: Rhoades, Wendy
Subject: Case # C14-2008-0115

Hello,

We are writing this letter regarding Case # C14-2008-0115. This case is scheduled to be heard on Tuesday July 8th. It is the rezoning of the property at 4808 William Cannon from SF-2 to LR. WE ARE AGAINST THIS ZONING CHANGE. This lot is located right inbetween 2 smaller residential plots.

There is plenty of commercial property all around us in dedicated places. This unnecessary change would place a commercial property in the middle of a small section of residential properties. Also, it is viotates the proposed Oak Hill Future Land Use Map.

Thank-you for your attention,

Troy and Deborah Bryant
6905 Treaty Oak Circle
Austin, Tx 78749

Rhoades, Wendy

From: Randy Kolb [mailto:~~rkolb@austin.rr.com~~]
Sent: Tuesday, July 08, 2008 9:14 AM
To: Rhoades, Wendy
Subject: Rezoning Case # C14-2008-0115

Dear Wendy,

As Vice President of the Western Oaks Property Owners Association and a member of the Oak Hill Future Land Use Map subcommittee representing OHAN (as Vice President of OHAN), I would like you to know that we are opposed to the proposed rezoning of 4808 W. William Cannon from SF-2 to LR-MU. The Western Oaks board approved a resolution against this property becoming Neighborhood Commercial.

I have been in talks with the attorney representing 4808 W. William Cannon, Jeffrey Howard about what kind of users would be compatible with the neighborhood and neighborhood plan and these are still ongoing and cordial. Western Oaks is strongly opposed to commercial uses such as the proposed storefront on William Cannon that violates the FLUM and would be the first step in commercializing a residential section of William Cannon. Currently William Cannon grades nicely from heavy commercial at Mopac to condos to residential as you go west. We are discussing other proposed uses of the property with Jeffrey Howard that both better use and increase its value of the property and fit in with the neighborhoods.

--- Randall Kolb
6916 Robert Dixon Dr.
Austin, TX 78749
(512) 891-5341
~~rkolb@austin.rr.com~~

7/8/2008

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 08, 2008 9:31 AM
To: Rhoades, Wendy; Patterson, Clark; Sirwaitis, Sherri; Harden, Joi
Cc: Rusthoven, Jerry
Subject: FW: I vote NO
Importance: High

Not sure whose case this belongs to.

From: Todd Sherron [mailto:~~todd@toddsherron.com~~]
Sent: Tuesday, July 08, 2008 9:11 AM
To: Anguiano, Dora
Subject: I vote NO
Importance: High

I vote NO to **ALL** of the following:

- The property for sale at 6110 Hill Forest [the old (1938) Westcreek Ranch House and 2 acre lot] -- recommended rezoning from Single Family to High Density Single Family which would allow up to 29 units that might be as high as 3 stories tall
- Extension of Brush Country to Monterrey Oaks
- Proposal to zone for commercial properties on Old Fredericksburg Road.

Sincerely,
Westcreek Neighbor
Todd Sherron

7/8/2008

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0115

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor
☒ I object

MELBA R. ZETT

Your Name (please print)

4813 WHITE ELM DR.

Your address(es) affected by this application

Melba R. Zett

Signature

7-7-08

Date

Comments: objections are loss of privacy. the green-
best was one of my reasons for buying this
property. Also possible noise and/or lights
from a business, possible pollution to creek
from run-off. (cars, parking etc.) Although
it is a dry creek, with heavy rain, a lot
of water flows through the creek. Commercial
zoning could decrease value of my
property, adjacent to rezoning area.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

July 3, 2008

Ms. Wendy Rhoades
Case Manager
City of Austin
505 Barton Springs
Austin, TX 78701

Via Email

Re: Case Number: C14-2008-0115 – William Cannon
Property Address: 4808 West William Cannon Drive

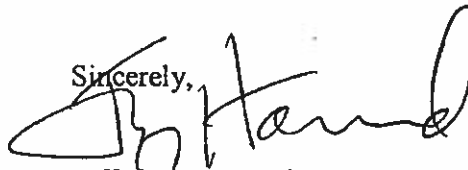
Dear Ms. Rhoades:

I am writing on behalf of the owner of 4808 West Williams Cannon Drive in the above-referenced zoning case to request a postponement of the July 8, 2008 Planning Commission hearing. My client has contacted adjacent neighborhoods to discuss the proposed zoning and wishes to have more time to conduct these discussions prior to Planning Commission consideration. Therefore, I am requesting a postponement on behalf of my client to the next available Planning Commission meeting. Please note this is my client's first request for a postponement.

Thank you for your consideration of this matter. Should you have any questions, please feel free to call me.

to July 22, 2008

Sincerely,



Jeffrey S. Howard

cc: Randy Kolb, WOPOA
Sandy Baldrige, Westcreek Neighborhood Association.

Rhoades, Wendy

From: Anguiano, Dora
Sent: Monday, July 21, 2008 9:29 AM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Rhoades, Wendy; 'jleidun@yahoo.com'
Subject: FW: Case Number: C14-2008-0115 -- 4808 Wm Cannon Dr.

From: Jennifer Voss [mailto:jleidun@yahoo.com]
Sent: Monday, July 21, 2008 5:50 AM
To: Anguiano, Dora
Subject: Case Number: C14-2008-0115 -- 4808 Wm Cannon Dr.

(Ms. Anguiano: I apologize that I accidentally sent a previous email to you before I had finished writing, especially the subject line. Please forward this email. Sorry for the mix-up.)

Please forward to Planning Commissioners

Reference Case Number: C14-2008-0115

Rezoning of 4808 William Cannon Drive

I live in the Westcreek Subdivision where White Elm Drive is located. White Elm Drive is across Williamson Creek from 4808 William Cannon Drive and we oppose the proposed zoning change. We see this as the first of many changes that could result in commercial businesses all along William Cannon where there is now residential. We enjoy the fact that there are single family homes on both sides of Williamson Creek. With all the commercial development on the south side of William Cannon we don't see the need for changes on this side—especially since there is still much space in those developments that has not been built out. This is a big change that will impact our property values and livability in the future.

On a side note, I want to express my sincere thanks for your recent neighborhood-friendly votes for the Westcreek Subdivision. We so appreciate it.

Regards,

7/21/2008

Jennifer Voss

6211 Sun Vista Drive

Westcreek Neighborhood

7/21/2008

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 22, 2008 9:47 AM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Rhoades, Wendy
Subject: FW: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

-----Original Message-----

From: Andrea Shindler [mailto:pdshindler@sbcglobal.net]
Sent: Monday, July 21, 2008 10:36 PM
To: Anguiano, Dora
Subject: Fwd: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

1
> To: Dora.Anguiano@ci.austin.tx.us
> Subject: Oppose rezoning of 4808 Wm Cannon Drive, Case number
> C14-2008-0115ef
>
> Ms. Anguiano,
>
> Please forward the following opposition to the City of Austin Planning
> Commission.
>
> Reference Case Number: C14-2008-0115
> Rezoning of 4808 William Cannon Drive
>
> I live in the Westcreek neighborhood at 4802 White Elm Drive, which is
> across Williamson Creek from
> 4808 William Cannon Drive. My family opposes the rezoning of the
> property at 4808 William Cannon Drive. The rezoning request, if
> granted, would place retail and/or commercial into an area surrounded
> by properties zoned SF. This property is in the Edwards Aquifer
> Recharge Zone and is prone to flooding. Additional runoff into the
> creek would exacerbate the problem.
>
> The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin
> Planning Staff support this property as Single Family. There is a
> significant amount of vacant retail space at the shopping centers at
> Wm Cannon @ Mopac. There is no need for additional retail space on Wm
> Cannon when there is availability in close proximity.
>
> Thank you for your consideration -
> Paul Shindler
>

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 22, 2008 9:49 AM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Rhoades, Wendy
Subject: FW: Opposition to Rezoning of 4808 William Cannon Drive

-----Original Message-----

From: Chelsea R Wallace [mailto:cwallac@stedwards.edu]
Sent: Monday, July 21, 2008 5:10 PM
To: Anguiano, Dora
Subject: Opposition to Rezoning of 4808 William Cannon Drive

Ms. Anguiano,

Please forward the following opposition to the City of Austin Planning Commission.

Reference Case Number: C14-2008-0115
Rezoning of 4808 William Cannon Drive

I live in the Westcreek neighborhood at 4901 White Elm Drive, which is across Williamson Creek from 4808 William Cannon Drive. My family opposes the rezoning of the property at 4808 William Cannon Drive. The rezoning request, if granted, would place retail and/or commercial into an area surrounded by properties zoned SF. This property is in the Edwards Aquifer Recharge Zone and is prone to flooding. Additional runoff into the creek would exacerbate the problem.

The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin Planning Staff support this property as Single Family. There is a significant amount of vacant retail space at the shopping centers at Wm Cannon @ Mopac. There is no need for additional retail space on Wm Cannon when there is availability in close proximity.

Thank you for your consideration -

Chelsea Wallace

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 22, 2008 9:49 AM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Rhoades, Wendy
Subject: FW: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

-----Original Message-----

From: cwallace5@austin.rr.com [mailto:cwallace5@austin.rr.com]
Sent: Monday, July 21, 2008 5:06 PM
To: Anguiano, Dora
Cc: cwallac@stedwards.edu; mbwallace@tea.state.tx.us; pdshindler@sbcglobal.net
Subject: Oppose rezoning of 4808 Wm Cannon Drive, Case number C14-2008-0115ef

Ms. Anguiano,

Please forward the following opposition to the City of Austin Planning Commission.

Reference Case Number: C14-2008-0115
Rezoning of 4808 William Cannon Drive

I live in the Westcreek neighborhood at 4901 White Elm Drive, which is across Williamson Creek from 4808 William Cannon Drive. My family opposes the rezoning of the property at 4808 William Cannon Drive. The rezoning request, if granted, would place retail and/or commercial into an area surrounded by properties zoned SF. This property is in the Edwards Aquifer Recharge Zone and is prone to flooding. Additional runoff into the creek would exacerbate the problem.

The East Oak Hill Neighborhood Plan, Oak Hill FLUM and City of Austin Planning Staff support this property as Single Family. There is a significant amount of vacant retail space at the shopping centers at Wm Cannon @ Mopac. There is no need for additional retail space on Wm Cannon when there is availability in close proximity.

Thank you for your consideration -

Charlotte Wallace

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 22, 2008 2:31 PM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Rhoades, Wendy
Subject: FW: Case Number: C14-2008-0115

From: Angelica Reeve [mailto:areeve@swbell.net]
Sent: Tuesday, July 22, 2008 2:21 PM
To: Anguiano, Dora
Subject: Case Number: C14-2008-0115

Ms. Anguiano

Can you please forward this letter to the Planning Commissioners? Thank you!

TO: Planning Commissioners
RE: Case Number: C15-2008-0115, Rezoning of 4808 William Cannon Drive

My name is Angelica Reeve and I live directly behind 4808 William Cannon Drive at 4815 White Elm Dr. I support the staff recommendation of **Not recommended**.

I support the staff recommendation for NOT rezoning this property from SF-2 to LR-MU for the following reasons:

1. The increase in economic value of the property up for rezoning will cause the adjacent tracts of land (my property and all my neighbor's) to decrease in economic value.
2. There is existing commercial space in tracts already designated for retail/commercial use at the William Cannon/Brush Country intersection that haven't been fully developed at this time.
3. Rezoning of the subject property would set a precedent for the remaining residential tracts along the William Cannon artery.
4. The property is located in the Edwards Aquifer Recharge Zone.
5. Commercial development of the subject property would further aggravate flooding along Williamson Creek, an already flood-prone area.
6. Wildlife has been affected by the loss of native habitat on the subject property.

Thank you for considering my concerns.

Angelica Reeve
4815 White Elm Dr.
areeve@swbell.net

**WESTCREEK RANCH
HOMEOWNERS ASSOCIATION
4620 WEST WILLIAM CANNON
AUSTIN, TEXAS**

**ATTN: WENDY RHOADS
NEIGHBORHOOD PLANNING AND ZONING
PH 974-7719 FX 974-6054**

Refer: Rezoning Request: C14-2008-0115 William Cannon

**The Board of Directors of Westcreek Ranch Homeowners
Association has voted in support of the Planning Commission Staff to
NOT RECOMMEND a zoning change from SF-2 to LR-MU on this property.**

Thank You,

A handwritten signature in black ink, appearing to read 'Dan Palmer', is written over a horizontal line.

**Dan Palmer
President**

Rhoades, Wendy

From: Anguiano, Dora
Sent: Tuesday, July 29, 2008 1:06 PM
To: Chris Ewen; Clint Small; Dave Sullivan; Jay Reddy; Mandy Dealey; Paula Hui; Perla Cavazos; Sandra Kirk; Tracy Atkins
Cc: Bhakta, Minal; Meredith, Maureen; Rhoades, Wendy; Montes, Gregory
Subject: FW:

From: JD Patton [mailto:jdptx32@hotmail.com]
Sent: Tuesday, July 29, 2008 12:30 PM
To: Anguiano, Dora
Subject:

To Dora Anguiano,

I am sending you this email to voice my concerns about the issues in the Westcreek subdivision. My family and I have lived here approximately four years and have enjoyed every moment of it. My wife and I have 2 children ages 6 and 2. We enjoy riding our bikes and walking through the neighborhood. We have noticed the kindness, friendliness, and generosity of other neighbors. It is a quiet and clean neighborhood and great for raising a family. Everyone enjoys improving and working on their houses and lawns. Which in the long run, will improve the value of the neighborhood and the beauty. Westcreek is an older neighborhood and it has been able to maintain its integrity as a great place to live. Changing 6110 Hill Forest into a high density single family residence, extending Brush Country to Monterrey Oaks, and adding commercial properties on Old Fredericksburg Road would be a devastation to the ambience and character of our HOME(neighborhood). If anyone on the planning commission hasn't driven in our neighborhood, please do. You will see a clean, beautiful, and lovely place where we call home. We have a distinct neighborhood and we would like to preserve it. These issues would add more traffic, litter, and a possible increase in crime due to easy access to the neighborhood and rezoning to a high density family resident. Not only that, it could and would decrease the value of our homes. I don't know what neighborhood the Planning Commission Board lives but, I can guarantee if these issues were in theirs, they wouldn't want it. Austin talks about preservation, i.e the greenbelt, and conservation. This would destroy an area where nature is already established and would be destructive to the wildlife that lives there. Furthermore, it would pollute our aquifers and creek. Please do what it is right to help keep our neighborhood pristine.

Respectively,

Lt. JD Patton

Oak Hill FD and resident of Westcreek

7/29/2008